

STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Office of Labor Relations

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OFFICE OF THE HOUSE CLERK
GAREY E. COLEMAN, CLERK

January 10, 2011

Mr. Garey E. Coleman
Clerk of the House
State Capitol
Hartford, CT 06106

Dear Mr. Coleman:

SUBJ: **A STIPULATED AGREEMENT** between the State of Connecticut and the Connecticut Police and Fire Union (NP-5). **Motor Fuel Tax Highway Enforcement (Federal Project No. STPA-R (510))**.

In accordance with Section 5-278(b) of the Connecticut General Statutes, the Office of Labor Relations hereby files with the Clerks of the House of Representatives and of the Senate, a Stipulated Agreement between the State of Connecticut and the Connecticut Police and Fire Union on behalf of their NP-5 Bargaining Unit members.

Also, enclosed is the Office of Policy and Management's statement of the estimated costs to implement the agreement.

Approval by the General Assembly is requested.

Very truly yours,

Linda J. Yelmini
Linda J. Yelmini
Director of Labor Relations

Benjamin Barnes, Secretary, OPM
Paul Potamianos, OPM
Brenda Halpin, Comptrollers' Office
Office of Fiscal Analysis
William Boucher, President, CPFU

STIPULATED AGREEMENT

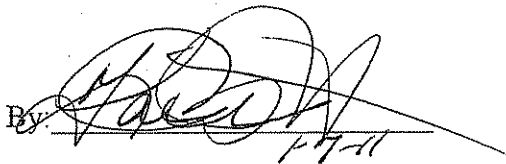
STATE OF CONNECTICUT DEPARTMENT OF REVENUE SERVICES AND CONNECTICUT POLICE AND FIRE UNION, IUPA/IAFF AFL-CIO

The State of Connecticut (hereinafter referred to as the "State"), the Department of Revenue Services (hereinafter referred to as "DRS"), and the Connecticut Police and Fire Union, IUPA/IAFF, AFL-CIO (hereinafter referred to as "CPFU"), as a result of Motor Fuel Tax Intergovernmental Enforcement activity, hereby agree as follows:

1. Under Section Four (e) of Article 18 of the collective bargaining agreement between the parties, all employees above Salary Grade 16 are exempt from the payment of overtime.
2. Tax Enforcement Agents, Tax Enforcement Special Agents and the Tax Unit Supervisors in DRS are not entitled to overtime payment under the terms of the collective bargaining agreement between the parties.
3. DRS receives \$35,000 of federal funds each year for Motor Fuel Tax Enforcement activities from the Connecticut Department of Transportation. The current Federal Project number is STPA-R (510). The Federal Project numbers may change from year to year. The amount of funding applicable for overtime and fringe benefits is \$7,000 per year from federal funds provided by ConnDOT. Said funds rollover each fiscal year if not expended.
4. The parties acknowledge that this agreement will be effective upon Legislative approval and will terminate the earlier of the exhaustion of the grant funds or upon expiration of the successor agreement to the Collective Bargaining Agreement that shall expire on June 30, 2012 unless any additional grant monies received for this purpose. If any additional grant monies are received, this Agreement shall continue in effect until said subsequent funds are exhausted.
5. The parties have agreed that due to the unique nature of this project, the State will pay these employees for overtime work at the rate of time and one-half for such work.
6. This agreement is entered into voluntarily after the parties and their representatives have had sufficient time to review its provisions and may not be contested, except for a claim of a breach of its terms and conditions. The agreement may not serve as proof in any other matter.

7. This agreement shall not serve as a precedent in any pending or future matter that may arise between the parties, including, but not limited to negotiations and/or interest arbitration. By executing this agreement, the parties agree that Tax Enforcement Agents, Tax Enforcement Special Agents and their Tax Unit Supervisors are not entitled to payment of overtime except as provided under the terms hereof.
8. In consideration of this agreement, CPFU agrees not to file any legal action against the State of Connecticut, its representatives, its employees any forum as a result of this agreement. Any pending claims by CPFU are hereby withdrawn and it agrees to take any and all steps necessary to effectuate their withdrawal.

State of Connecticut
Office of Labor Relations

By:  1-7-11

State of Connecticut
Department of Revenue Services

By: Sandra Nieland 1-7-11

Connecticut Police and Fire Union
IUPA/IAFF, AFL-CIO

By: Wynne Boucher
1-4-11

COST ESTIMATE
OF STIPULATED AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND
THE CONNECTICUT POLICE AND FIRE UNION, IUPA/IAFF AFL-CIO
Motor Fuel Tax Highway Enforcement (Federal Project No. STPA-R (510))

This agreement authorizes the payment of time and one-half overtime to employees in the Protective Services (NP-5) bargaining unit who otherwise would be exempt from receiving paid overtime to work on motor fuel highway enforcement activities. Funds for the payment of this overtime to employees who are exempt from receiving cash overtime under the current contract are to be paid out of a federal grant (Federal Project No. STPA-R (510)). No general fund dollars are required.